

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- x  
Keile Allen :

Plaintiff, :

-v- :

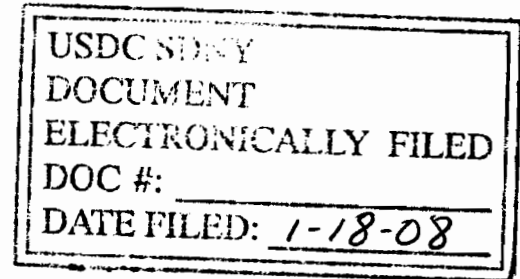
Fisher-Price Inc. :

Mattel, Inc. :

Defendant. :  
----- x

07 Civ. 10401 (JSR)

ORDER



JED S. RAKOFF, U.S.D.J.

On January 17, 2008 the Judicial Panel on Multidistrict Litigation issued a Conditional Transfer Order, (CTO-2), a copy of which is attached to this order, transferring this case to the Honorable Dale S. Fischer, United States District Judge, in the Central District of California, under 28 U.S.C. § 1407.

Having been advised by Steven Hayes, the plaintiff's counsel, that he does not object to the transfer of this case to the Central District of California,

**IT IS HEREBY ORDERED** that the Clerk of the Court place this case on the Court's suspense docket pending transfer to the Central District of California.

SO ORDERED.

  
\_\_\_\_\_  
JED S. RAKOFF, U.S.D.J.

Dated: New York, New York  
January 18, 2008

Jan-18-08 11:00 From-

7144

T-515 P 002/003 F-044

UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION

**CHAIRMAN:**  
Judge John G. Heyburn II  
United States District Court  
Western District of Kentucky

**MEMBERS:**  
Judge D. Lowell Jensen  
United States District Court  
Northern District of California

Judge J. Frederick Motz  
United States District Court  
District of Maryland

Judge Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

Judge Kathryn H. Vratil  
United States District Court  
District of Kansas

Judge David R. Hansen  
United States Court of Appeals  
Eighth Circuit

Judge Anthony J. Scirica  
United States Court of Appeals  
Third Circuit

**DIRECT REPLY TO:**

Jeffery N. Luthi  
Clerk of the Panel  
One Columbus Circle, NE  
Thurgood Marshall Federal  
Judiciary Building  
Room G-255, North Lobby  
Washington, D.C. 20002

Telephone: (202) 502-2800  
Fax: (202) 502-2888  
<http://www.jpml.uscourts.gov>

January 17, 2008

TO INVOLVED COUNSEL

Re: MDL No. 1897 -- IN RE: Mattel, Inc., Toy Lead Paint Products Liability Litigation

(See Attached CTO-2)

Dear Counsel:

Attached hereto is a copy of a conditional transfer order filed today by the Panel involving the above-captioned matter. This matter is transferred pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001). Copies of Rule 5.2, dealing with service, and Rules 7.4 and 7.5, regarding "tag-along" actions, are attached for your convenience.

Inasmuch as there is an unavoidable time lag between notification of the pendency of the tag-along action and the filing of a conditional transfer order, counsel are required by Rule 7.4(b) to notify this office **BY FACSIMILE**, at (202) 502-2888, of any official changes in the status of the tag-along action. These changes could involve dismissal of the action, remand to state court, transfer to another federal court, etc., as indicated by an order filed by the district court. Your cooperation would be appreciated.

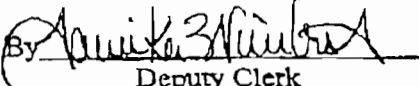
**NOTICE OF OPPOSITION DUE ON OR BEFORE: February 1, 2008 (4 p.m. EST)**  
(Facsimile transmission is suggested.)

If you are considering opposing this conditional transfer order, please review Rules 7.4 and 7.5 of the Panel Rules before filing your Notice of Opposition.

A list of involved counsel is attached.

Very truly,

Jeffery N. Luthi  
Clerk of the Panel

By   
Deputy Clerk

Attachments

JPML Form 39

Jan-18-08 11:00 From- 7144

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T-515 P 003/003 F-044

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

JAN 17 2008

UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATIONFILED  
CLERK'S OFFICEIN RE: MATTEL, INC., TOY LEAD PAINT PRODUCTS  
LIABILITY LITIGATION

|   |   |              |
|---|---|--------------|
| Crystal Sanders v. Mattel, Inc., et al.,    | ) |              |
| E.D. Louisiana, C.A. No. 2:07-8637          | ) | MDL No. 1897 |
| Keile Allen v. Fischer-Price, Inc., et al., | ) |              |
| S.D. New York, C.A. No. 1:07-10401          | ) |              |

## CONDITIONAL TRANSFER ORDER (CTO-2)

On December 18, 2007, the Panel transferred six civil actions to the United States District Court for the Central District of California for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See \_\_\_ F.Supp.2d \_\_\_ (J.P.M.L. 2007). With the consent of that court, all such actions have been assigned to the Honorable Dale S. Fischer.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Central District of California and assigned to Judge Fischer.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Central District of California for the reasons stated in the order of December 18, 2007, and, with the consent of that court, assigned to the Honorable Dale S. Fischer.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Central District of California. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:



Jeffrey N. Lüthi  
Clerk of the Panel